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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,731	07/14/2003	Mitsuo Yamada	023971-0291	3612

22428 7590 04/15/2008  
FOLEY AND LARDNER LLP  
SUITE 500  
3000 K STREET NW  
WASHINGTON, DC 20007

EXAMINER
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MIGGINS, MICHAEL C

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10617731	7/14/03	YAMADA ET AL.	023971-0291

FOLEY AND LARDNER LLP  
SUITE 500  
3000 K STREET NW  
WASHINGTON, DC 20007

**EXAMINER**

Michael C.. Miggins

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1794	20080411
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**Commissioner for Patents**

In the examiner's answer of 12/21/07, grounds for rejection section, the following 2 rejections from the non-final rejection of 5/11/07, pages 3 and 4, paragraphs 5 and 7 were inadvertently left out. The text of these rejections are included here:

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. (US 6591871) in view of Ito et al. (US 6576312).

Claim 19 in its entirety recites method limitations in a product claim. Method limitations are not germane to the patentability of the product in a product claim and thus the prior art need not disclose applicant's recited method claims in order to read on applicant's claims as written (MPEP 2113). However, Smith discloses an optional adhesive between the cover layer and the tube (column 4, lines 14-26).

Claim 19 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-18 of copending Application No. 10980313 in view of Smith (US 6591871 ).

Claim 19 in its entirety recites method limitations in a product claim. Method limitations are not germane to the patentability of the product in a product claim and thus the prior art need not disclose applicant's recited method claims in order to read on applicant's claims as written (MPEP 2113). However, Smith discloses an optional adhesive between the cover layer and the tube (column 4, lines 14-26).

/Michael C. Miggins/  
Primary Examiner, Art Unit 1794